IN THE SUPREME COURT OF THE STATE OF DELAWARE

| LARRICE S. ASBERRY, | |
|--------------------------------|-------------------------------------------------------------------------------------|
| Defendant Below, Appellant, | No. 202, 1999 |
| V. | Court Below: Superior Court of the State of Delaware, in and for Kent County: |
| STATE OF DELAWARE, | Cr.A. Nos. IK97-06-0471, IK97-06-0472 & IK97-08-0067 |
| Plaintiff Below, Appellee. | |
| Submitted: April | 18, 2000 |

Before WALSH, HOLLAND, and HARTNETT, Justices.

Decided:

<u>O R D E R</u>

April 25, 2000

This 25th day of April 2000, upon consideration of the parties'

briefs and the record, it appears to the Court that:

1. The Superior Court did not abuse its discretion in denying

Asberry's motion for severance of the defendants. See Floudiotis v.

State, Del. Supr., 726 A.2d 1196, 1210 (1999).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is, **AFFIRMED**.

BY THE COURT:

/s/ Maurice A. Hartnett, III